REMARKS

Claims 1-11, all the claims pending in the application, stand rejected. No claims are amended or canceled, as Applicant firmly believes that all of the claims are patentable.

Claim Rejections - 35 U.S.C. § 112

Claims 1-11 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to convey to one skilled in the art that the applicant had possession of the claimed invention at the time the application was filed. The Examiner points to the limitation in claims 1, 4 and 7-9 in support of this rejection, with particular emphasis on certain words indicated in bold, namely "displaying an image of the player character corresponding to any one of said plurality of operational modes together with images of said non-player characters with both the images of the player and the non-player characters **kept unchanged** simultaneously with any one of said background images." Applicant assumes that this is a "written description" rejection. The rejection is traversed for at least the following reasons.

The limitation in the displaying step was introduced in the amendment in response to the Office Action dated October 26. 2001. In the limitation, the phrase of "with both the images of the player and the non-player characters kept unchanged" was added in order to emphasize that the claimed screen switching technique is to switch parts of a single continuous background image. As explained at pages 9 and 10 of the original application, when switching from one mode to another, where the screen has both player characters and non-player characters in the screen (as illustrated in Figs. 3m 6 and 7). While not explicitly stated, in light of the desire to miimize storage access, it would be clear to one skilled in the art that the characters would not be changed.

Nonetheless, if the Examiner objects to the language, it can be deleted since it is not needed for patentability.

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Claim Rejections - 35 U.S.C. § 103

Claims 1-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rieder (5,769,718) in view of Stephens et al (6,155,923). This rejeciton is traversed for at least the following reasons.

The Examiner continues to rely on Reider, but now adds Stephens et al in an effort to remedy the deficiencies of Reider. Reider is admitted by the Examiner to fail in teaching key limitations in claims 1, 4 and 7-9, namely "displaying" images of player characters and non-player characters and background images thatdisplay scenes, and "restricting the switching of the background images from the start until the competion of an operational mode."

The Examiner's reliance on Stephens et al is unavailing for two fundamental reasons. First, in Stephens et al, there is no mechanical operation or waiting time for access to memory. As expressly stated in the BACKGROUND portion of Stephens et al. (col. 1, line 20), the disclosure in Stephens et al is based on the Sega Genesis videogame platform (hereinafter referred to as Genesis). As illustrated in Fig. 6 of Stephens et al, Genesis includes a cartridge based ROM 158 as a recording medium for storing a videogame program and its data. In order to access the ROM cartridge, no mechanical operation is required. Only an electrical operation is involved. Stephens et al does not refer to any other type of recording media that may require a mechanical operation for program and data access, such as CD-ROM drive. Clearly, such media was not contemplated by Stephens et al. Further, Stephens et al does not mention any requirement for a waiting time to access the cartridge based ROM 158. Indeed, it is assumed that access is on demand and no possible problem that may create a waiting time has been identified. Thus, there is no motivation to even consider a need to reduce waiting time in Stephens et al.

Consequently, one skilled in the art who reads Stephens et al would have no reason to consider the adoption of any technique for reducing the waiting time to access a recording medium.

Second, according to Stephens et al., column 3, lines 26-29, "The panel boundaries 14 define the panels 12 in space and time, and the player -controlled character 16 is restricted to

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play in an active panel 13 until he has completed certain predetermined combat and strategy tasks". Namely, the character is restricted to a predetermied location until assigned tasks are completed. <u>Without completion of a task, there is no change in the panel</u>.

In column 3, lines 63-65 of Stephens et al, the patent teaches that "The player can score points during the game play based upon performance of the predetermined tasks." Although there is no description or explanation given of the nature of such tasks, one skilled in the art would assume that the tasks are related to combat, for example, a battle with non-player characters. The time period for completion of such tasks depends on player's skill in playing videogame. Therefore, according to the fundamental operational principles of the game in Stephens et al., <u>a player may not be able to move a next panel when he desires, but only when he/she has completed a current task</u>.

By contrast, according to the present invention, the switching of operational modes may be undertaken by a player, simply by operating the controller, as expressly stated in the specification of the present application at page 9, with emphasis added:

> Herein, consideration will be made about an example wherein the player character is carrying a Japanese samurai sword. In the **moving mode**, the player character enters the sword in its scabbard and is put into a state where it cannot grasp the haft thereof. In **fighting mode**, the player character often draws the sword out of the scabbard in order to perform repeated attacks at any times. The **fighting mode** represents a state wherein the character is able to launch repeated attacks instantaneously. Therefore, if the player character uses a so-called 'quick draw' technique and then the blade of the sword, of which the haft is held by the character may be kept in the scabbard <u>This switching of operational modes is assigned to a prescribed push button switch on the controller 152, and is implemented according to the operational inputs performed by the player.</u>

Applicant respectfully submits that the invention as now claimed is patentable over the prior art and overcomes the newly formulated rejection of the Examiner. Reider is de

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment under 37 CFR § 1.111
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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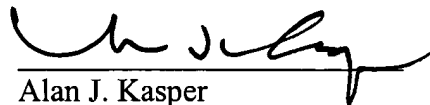
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